

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF MARICOPA

IN THE MATTER OF ESTABLISHMENT) ADMINISTRATIVE ORDER
OF TEMPORARY CHILD SUPPORT) No. 2005-008

In order to ensure that children are adequately supported financially, parties filing a Petition for Dissolution of Marriage with Children or a Petition for Legal Separation with Children may request an order for temporary child support by completing and filing a Child Support Information form as set forth in this Order. This form includes information, which is required to calculate child support pursuant to the Arizona Child Support Guidelines.

This form may be filed as a separate document at the time of filing the Petition for Dissolution of Marriage or Legal Separation.

Policies and procedures for implementation of this Administrative Order are set forth in the Court's Policies and Procedures Regarding Temporary Child Support, dated April 12, 2001.

The Court has determined it is necessary and appropriate to vacate Administrative Orders 99-029, 2000-021, 2001-027, and 2001-036. Therefore,

IT IS ORDERED that:

1. All Petitioners filing a Petition for Dissolution of Marriage with Children or a Petition for Legal Separation with Children may also file a Child Support Information form with information sufficient for a calculation of child support. If filed, this form shall be filed as a separate document at the time of filing the Petition for Dissolution of Marriage or Legal Separation and shall be served on the Respondent along with the Petition for Dissolution or Separation and the Child Support Information form. Upon service of the Child Support Information Form, the responding party has 20 days in Arizona or 30 days out of state to file a response.

2. If a response is not filed or the response does not contest child support issues, a Temporary Child Support Order and Order of Assignment shall be entered based on available information. If the court is unable to calculate a child support award based on the lack of sufficient financial information on the form, the court may reject the form or schedule a hearing or para-judicial conference to address the issues in the case.

3. If the responding party desires to contest the Petitioner's information on the Child Support Information form, the responding party shall file a separate response to the Petition for Dissolution of Marriage or Legal Separation, together with a separate Respondent's Child Support Information form with information sufficient for a calculation of child support. If both parties submit forms that require a party to pay substantially the same amount of temporary support, a Temporary Child Support Order may be entered without further hearing. If Respondent's Child Support Information form differs materially from Petitioner's Child Support Information form, the court shall schedule a hearing or para-judicial conference to address the issues in the case.

4. During a para-judicial conference, the conference officer, or attorney case manager shall memorialize any agreements of the parties as to support, custody, parent/child access, or other issues in the case.

(a) If a party fails to appear at their hearing or conference, the hearing or conference may proceed, income may be imputed to that party, and a child support order and Order of Assignment may be entered based on available information.

(b) If both parties fail to appear, a child support order and Order of Assignment may be entered based on available information. A visitation adjustment of .161 percentage from the Arizona Child Support Guidelines Visitation Table A may be imputed to the appropriate parent.

(c) To the extent applicable, IT IS ORDERED incorporating herein by reference Administrative Order 2001-024, in the matter of the Promulgation and Publication of revised plan for Expedited Process.

(d) Responsibility for providing medical and/or dental insurance coverage and reimbursement of medical costs not covered by insurance may be assigned to the appropriate parties.

5. Temporary child support shall not be ordered pursuant to this Administrative Order if the Respondent is served by publication or if a Petition for Order to Show Cause Re: Temporary Orders or a stipulation not to proceed under the temporary child support project is filed no later than twenty (20) days after the filing of the Affidavit or Acceptance of Service of the Petition for Dissolution of Marriage with Children or Petition for Legal Separation with Children and the Child Support Information form.

IT IS FURTHER ORDERED vacating Administrative Orders 99-029, 2000-021, 2001-027, and 2001-036.

This order is effective January 20, 2005 and applies to Petitions for Dissolution of Marriage with Children and Petitions for Legal Separation with Children filed on or after the effective date.

DONE IN OPEN COURT this 18th day of January, 2005.

Honorable Norman J. Davis
Presiding Family Court Department Judge

Original: Clerk of the Superior Court